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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/645,736

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Michael Peterson

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07/28/2006

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EXAMINER

VAUGHN, GREGORY J

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/645,736

Applicant(s)

PETERSON, MICHAEL

Examiner

Gregory J. Vaughn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 3-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Action Background*

1. This action is responsive to the applicant's amendment, filed on 5/4/2006.
2. Applicant has canceled claim 2, and amended claims 1, 7, 13 and 17.
3. Claims 1 and 3-21 are pending in the case, claims 1, 7, 13 and 17 are independent claims.
4. Applicant has amended the specification in response to the objections cited by the examiner in the *Specification* section of the previous office action (dated 3/22/2006). Applicant's amendment has addressed the objections previously made, and therefore, in view of the amendment, objections to the specification are withdrawn.
5. Examiner's rejection of claim 2, made under 35 USC 102, as being anticipated by Tittel et al. as recited in the previous office action (dated 3/22/2006) is withdrawn in view of the cancelled claim.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*"A person shall be entitled to a patent unless –*

*(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States."*

7. Claims 1, 3, 5-14 and 16-21 remain rejected under 35 U.S.C. 102(b) as being anticipated by Tittel et al., "XML for Dummies", Copyright 2000 IDG Books Worldwide (hereinafter Tittel).

8. **Regarding independent claim 1**, the Tittel reference is a training manual for writing extensible markup-language (XML) documents for use in computers and on the Internet. XML documents can generally be referred to as web pages (page 1, second paragraph). It is well known that XML (and other markup languages) can be used to exchange data on the Internet. Data is exchanged based upon a request from a client; the request is processed by a server, and a resultant web page is transmitted back to the requestor (pages 12-14). Tittel discloses parsing a definition file with a parser, said definition file comprising addresses to template files and addresses to content files, extracting the template and content files where the template file contains formatting information for the web page. Tittel discloses the use of document type definition (DTD) files on pages 61-63. Tittel discloses the use of style

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sheets that control formatting of the web page on pages 141-145. Tittel discloses the DTD file referencing the addresses of both template and content files on page 189. Tittel discloses the DTD file referencing multiple template files, where the first template file is selected on pages 145-149. Tittel refers to these types of template files as cascading style sheets (CSS).

9. **Regarding dependent claim 3**, Tittel discloses the template file comprising page layout information on page 145. Tittel recites: *"With CSS1, you can control the format and display of colors and backgrounds, fonts and text, spacing, element positioning and size"*
10. **Regarding dependent claim 5**, Tittel disclose the use of variables on pages 340-341.
11. **Regarding dependent claim 6**, Tittel discloses the use of pointers on pages 241-245
12. **Regarding independent claims 7, 13 and 17**, the claims are directed toward a method or system of claim 1 and are rejected using the same rationale.
13. **Regarding dependent claims 8, 9, 16, 18 and 19**, the claims are directed toward a method and system for the method of claim 5, and are rejected using the same rational.

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14. **Regarding dependent claims 10 and 20**, Tittel discloses a variable that specifies a language preference (described as character sets) on pages 132-135.
15. **Regarding dependent claims 11 and 21**, Tittel discloses a variable that specifies a descriptor of the client computer system (described as a namespace) on pages 210-211.
16. **Regarding dependent claim 12**, the claim is directed toward a system for the method of claim 6 and is rejected using the same rationale.
17. **Regarding dependent claim 14**, Tittel discloses layout information as described above in the rejection of claim 1.

***Claim Rejections - 35 USC § 103***

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*"(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."*

19. Claims 4 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tittel in view of Hsu et al. US Patent Publication 2004/0010710, filed 7/10/2002, published 1/15/2004 (hereinafter Hsu).

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20. **Regarding dependent claims 4 and 15**, Tittel discloses serving web pages, as described above. Tittel discloses exchanging information, but fails to disclose determining if a client is authorized to view the content. Hsu teaches determining if a user is authorized to view content in figure 3 at reference sign 301 (shown as "Whether the URL is denied").

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to use the authorization control taught by Hsu with the web page serving system of Tittel in order to provide "*a security system and method, used to control and filter requests according to an individuals user's authority*" (Hsu, paragraph 10).

### ***Response to Arguments***

21. Applicant's arguments filed 5/4/2006 have been fully considered but they are not persuasive.
22. Regarding independent claim 1, Applicant states: "*Tittel does not disclose a method where the function of the definition file has addresses to the template files and the addresses to the supporting content files and parsing the definition file to extract the template to be used as well as the content files to be used with the template to create a web page or a section of a web page*" (page 7, last paragraph to page 8 first paragraph, of the response file 5/4/2006). In response applicant is directed to the rejection of claim 1 as stated above. Tittel discloses XML files that contain content; Tittel discloses

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definition files (referred to as DTD's) that contain addresses to template (referred to as Style sheets) and content files. Tittel discloses parsing the XML file, the DTD and the style sheets to create a web page, which is transmitted to the requesting client, as described above

### ***Conclusion***

23. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn  
Patent Examiner  
July 24, 2006



**STEPHEN HONG**  
**SUPERVISORY PATENT EXAMINER**